

REMARKS

Applicants greatly appreciate the indication that claims 27-43 are allowed, and that claims 8, 16, 18 and 50 recite allowable subject matter.

Claims 8, 16 and 18 are amended in independent and generally recite the features of their former base claims. These claims stand ready for allowance. (Claim 50 is canceled without prejudice to the subject matter recited therein.)

Allowed 27 is amended without prejudice. These changes have altered the scope of the claim by adding a new feature (*“providing to the user a pointer to an online site, the online site including third-party reviews of content”*) and by changing the terms “identifier” (to --data--) and presenting (to --providing--). We invite the Examiner to carefully review these and other changes to claim 27, and to call the undersigned with any questions.

Nevertheless, we respectfully submit that claim 27 remains in condition for allowance.

Allowed claim 39 is amended in independent form to generally recite the features of its base claims, claims 38 (now canceled) and 27 (including the amendments presented today).

New independent claims 75 and 80 are modeled after claim 27, except each recites a different act relative to the new act of providing mentioned above. For example, claim 75 recites: *“providing to the user a pointer to an online site that provides streaming media content associated with the ambient music,”* and claim 80 recites: *“providing to the user a pointer to dynamic user metadata that is associated with the ambient music”*.

We respectfully submit that claims 39, 75 and 80 are also in condition for allowance.

Claims 5, 7, 11-15, 17, 25-26 and 44-49 were variously rejected over U.S. Patent No. 5,790,172 (Imanaka) and U.S. Patent No. 6,151,624 (Teare et al.). We respectfully traverse each of these rejections. Nevertheless, and without conceding the merits of the rejections, the rejected claims are canceled herein. We reserve the right to file claims directed to the subject matter of the canceled claims in one or more related applications.

Dependent claims 28, 29, 30, 38, 40 and 42 are amended without prejudice and generally in a manner consistent with the changes to their respective base claims. New dependent claims 70-74, 76-79 and 81-88 are also provided.

We note that new independent claim recites a pointer to an online site including streaming media content and dependent claim 82 recites “artist concert scheduling.” We

respectfully refer the Examiner to our September 25, 2007 “Amendment Accompanying Request for Continued Examination” in which now canceled claim 68 recited concert information and now canceled claim 69 recited streaming audio. A possible grouping of the then-pending claims was suggested on pages 13 and 14 of that Amendment. We also refer the Examiner to our November 27, 2007 Interview Summary in which a verbal restriction requirement was discussed, and an election was made.

New claims 75 and 80/82 are not the same as canceled claims 69 and 62. Indeed, we respectfully submit that claims 27 and new claims 75 and 80/82 are properly grouped at least since the majority of their claims features directly correspond (i.e., the acts of receiving, transferring, receiving from the processor, using, and providing at least textual information), and since each claim provides a pointer to various online sites (claims 27 and 75) or dynamic metadata (claim 80). Indeed, these claims are properly grouped.

The specification is amended to include reference to an issued patent. The title is amended and a New Abstract is provided to even more closely conform to some of the pending claims. An *Application Data Sheet* is provided to reflect the title change.

We respectfully request a Notice of Allowance. In the meantime, the Examiner is respectfully invited to contact the undersigned with any questions.

Date: January 29, 2009

Respectfully submitted,

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